United Nations S/2002/729

Security Council

Distr.: General
5 July 2002

Original: English

Letter dated 2 July 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 10 April 2002 (S/2002/403). The Counter-Terrorism Committee has received the attached supplementary report from El Salvador, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its attachment to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

[Original: Spanish]

Letter dated 20 June 2002 from the Permanent Representative of El Salvador to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

With reference to your note dated 10 April 2002, I attach herewith the response of the Government of El Salvador to the observations and questions raised in connection with the report submitted on 21 December 2001, pursuant to resolution 1373 (2001) of the Security Council (see enclosure).

(*Signed*) José Roberto **Andino Salazar**
Ambassador
Permanent Representative

Enclosure

Information provided by the Republic of El Salvador supplementary to the report submitted pursuant to Security Council resolution 1373 (2001)

(Replies to the observations of the Counter-Terrorism Committee of the Security Council)*

June 2002

* The annexes submitted with the report are on file with the Secretariat and are available for consultation.

Replies to the observations of the Counter-Terrorism Committee on the report submitted by El Salvador pursuant to Security Council resolution 1373 (2001)

Subparagraph 1 (a):

- *The report states that the Government of El Salvador responded to the United States' request concerning groups or individuals that provide financial support to terrorist activities. Could El Salvador please explain what measures were taken regarding the list of names? Are financial institutions under any obligation to report on, or freeze, accounts or economic resources held by such groups or individuals?*

The measures taken by the Financial Investigation Unit (UIF) of the Office of the Attorney-General of the Republic, with the collaboration of the National Civil Police, the supervisory and oversight agencies of the financial institutions, and others, with respect to the various requests for legal assistance made by the United States of America in connection with the financing of terrorist acts following the attacks of 11 September last consist of checking the various databases to which access is available, in conformity with the Code of Criminal Procedure and the Money Laundering Act. Our domestic laws contain only legal provisions of a general nature for the investigation of terrorist acts, but no specific or special measures against the financing of terrorism.

As for whether financial institutions are required to report or freeze accounts or financial assets owned by terrorist groups or individuals or which are used to finance terrorist acts, the reply is yes, based on articles 180 et seq. of the Code of Criminal Procedure, which provide for the legal classification of "seizure" as a synonym for confiscation or preventive takeover and which are applicable to the investigation of any crime, and on Security Council resolution 1373 (2001).

However, it must be made clear that the institutions under this legal obligation cannot on their own freeze bank accounts or funds; they may do so only on the express written instructions of the Attorney-General of the Republic, through UIF or, where appropriate, through the competent court.

The obligation of financial institutions to report any suspicious operation does not flow specifically from special domestic legislation against terrorist acts, but from the Money Laundering Act. In particular, it derives from the guidelines of UIF for the prevention of money laundering, in implementation of the eight special recommendations against terrorism made by the Financial Action Task Force (FATF), which expressly provide as follows:

> "... Special provision. Institutions shall report to the Financial Investigation Unit (UIF) of the Office of the Attorney-General of the Republic and to the competent Superintendent, as a suspicious or irregular operation or transaction, independently of the amount involved, any operation, transaction or account concluded or opened by clients or users about whom there is evidence or information obtained by any means linking or associating them directly or indirectly with any of the criminal activities referred to in article 6 of the Money Laundering Act, and in particular to local or international terrorist acts ...".

Money Laundering Act

"Other crimes that give rise to money laundering

Art. 6. This Act covers any criminal activity that gives rise to money laundering, particularly the following, where applicable:

(a) The crimes set out in chapter IV of the Drug-Related Activities Act;

(b) Trafficking in people;

(c) Fraudulent management;

(d) Stealing and theft of vehicles;

(e) Kidnapping;

(f) Extortion;

(g) Illicit enrichment;

(h) Illicit negotiations;

(i) Embezzlement of public funds;

(j) Bribery;

(k) Illegal trafficking in and stockpiling of arms;

(l) Tax evasion;

(m) Contraband;

(n) Perversion of justice;

(o) Fraud; and

(p) Any act of concealment or legalization of money or assets derived from criminal activities".

Subparagraph 1 (b):

- *Please outline the provisions of the Penal Code which criminalize the wilful provision or collection of funds in El Salvador by its nationals or others as required under this subparagraph. Does the Government of El Salvador have any intention of amending its Penal Code or Criminal Procedure Code in order to introduce measures for the suppression of the financing of terrorism?*

Our national criminal legislation currently criminalizes only terrorist acts and incitement and conspiracy to commit terrorist acts, which are specifically named and for which punishment is prescribed in articles 343 and 344, respectively, of the Penal Code.

None of the modalities contemplated for these crimes includes the financing of such acts. The Inter-agency Group against Terrorism (GRICTE) is currently carrying out a technical evaluation of the possibility of proposing reforms to the Penal Code or of enacting a special law that would characterize the financing of terrorist acts as a separate crime.

Financing the commission of any criminal act, including terrorist acts and incitement and conspiracy to commit terrorist acts are punished as crimes of

complicity, depending on the degree of participation in the act, in accordance with article 36 of the Penal Code.

- *The Penal Code of El Salvador refers several times to terrorist acts (articles 22A, 343, 344), but it is not clear how terrorist acts are defined. Could El Salvador please elaborate on this?*

In conformity with article 343 of the Penal Code, terrorist acts are: "... acts liable to cause alarm, fear or terror, using: explosive or inflammable substances, arms or artefacts that are normally capable of causing harm to the life or safety of persons ..."

GRICTE is currently reviewing the definition given in the Penal Code to terrorist acts and the consistency of that definition with the specific acts characterized as crimes in the international agreements to which El Salvador has subscribed with a view to their harmonization.

Subparagraph 1 (c):

- *The report states that it is possible to freeze all funds of an alleged wrongdoer suspected of infringement of the law (Article 186, Banking Act). Does "the infringement of the law" refer to Article 186 of the Banking Act (on illegal fund-raising) only? Is it possible to freeze funds of persons/entities suspected of supporting or committing terrorist acts?*

The reference in the report to article 186 of the Banking Act, specifically the expression "infringement of the law", should be understood as referring only and exclusively to the crime of illegal public fund-raising referred to in articles 184 et seq. of the same Banking Act in relation to article 240 A of the Penal Code. However, as explained in the reply given under paragraph 1 (a) of this report, the obligation of financial institutions to report any suspicious operation derives specifically from the Money Laundering Act, particularly as it relates to terrorist acts in any form, and they are so obliged under the guidelines of UIF for the prevention of money laundering.

- *Please outline the provisions that permit the freezing of funds held in El Salvadoran financial institutions by individuals and entities carrying on legitimate activities in El Salvador or living outside El Salvador who are supporting terrorism outside El Salvador.*

It is possible to order the freezing of bank accounts, funds, rights and property that are under any investigation initiated by the authorities of other countries aimed at punishing the perpetrators of criminal activities related to terrorist acts, particularly through the implementation of international agreements or treaties, criminal and procedural laws and, specifically, the Money Laundering Act, which provides as follows:

> "Article 4. ... Money laundering shall also include any operation, transaction, action or omission designed to conceal illicit origin and to legalize property and assets derived from criminal acts committed in or outside the country ...
>
> Article 6. ... Any criminal activity that gives rise to money laundering shall fall within the scope of this Act ...

Article 25. ... In case of urgent necessity, the Attorney-General of the Republic may order the freezing of the bank accounts of accused persons, as well as of the funds, rights and property under investigation, in the crimes covered by this Act ...".

Subparagraph 1 (d):

- *Does El Salvador have any provisions for regulating alternative money transfer agencies? Please outline them.*

"Article 2 of the Money Laundering Act applies to any individual or corporation, even if such corporation is not legally constituted ...

The institutions and activities that fall within the scope of this Act are, among others:

(i) Institutions and individuals that make systematic or substantial transfers of funds, including those that grant loans; ... and

(ii) Any other institution, association, commercial company, financial group or conglomerate ...".

Under the Act, such entities and persons shall have the following obligations, among others:

1. A "Know your client" policy;
2. Archiving and storage of documents;
3. Training of staff and management;
4. Establishment of internal oversight mechanisms to verify compliance with the law;
5. Policies governing appropriate conduct for bank managers, supervisors and employees;
6. Preparation of lists of clients by name;
7. Period of time during which these lists must be maintained;
8. Mandatory form for reporting cash transactions of more than 500,000 colones;
9. Designation of oversight officials;
10. Penalties for breaches of the regulations, among others.

It should be pointed out that there is no explicit set of regulations governing offshore banking in our national financial laws, only a variety of provisions that specifically prohibit public fund-raising without the express approval of the Office of the Financial Superintendent. (Article 240 A of the Penal Code characterizes this activity as a crime.)

- *Please outline the legal obligations of financial institutions and other legal persons to report suspicious transactions to the public authorities.*

Reference should be made here to articles 9 (a) and 10 (e) (iii) of the Money Laundering Act:

"Obligations of institutions subject to this Act

Art. 9 — Institutions are required to report to UIF in writing or by any other electronic means within a period of three working days any operation or multiple transaction performed by a single client that exceeds in one day or within a period of one month 500,000 colones or the equivalent in foreign currency, in accordance with the fluctuations of the national currency, provided there is sufficient reason to consider such operations or transactions irregular or when UIF so requires.

Art. 10 ...

(e) Under the terms set out in article 4(4) of this Act, banks, financial institutions, exchange houses and stock exchanges shall adopt policies, rules and guidelines of conduct to be observed by their administrators, managers and staff, consisting of:

...

(iii) Mandatory, prompt and full reporting to the Office of the Attorney-General of the Republic, through UIF and the competent Superintendent any relevant information on the handling of funds, whose amount or characteristics bear no relation to the economic activity of their clients or to the transactions of their users in terms of the amounts involved or their number, complexity or characteristics."

In addition, the provisions of articles 12 to 17 of the Money Laundering Act are implemented:

"Chapter III
Irregular or suspicious transactions

Article 12. Irregular or suspicious transactions shall be deemed to be all unusual operations outside of the normal pattern of transactions which, while not involving large amounts are regular, without any obvious economic or legal basis, and all inconsistent operations or operations that bear no relation to the type of economic activity of the client.

Article 13. In order to detect irregular or suspicious transactions, institutions shall pay special attention to those transactions that exhibit the characteristics indicated in the article above, particularly operations by clients involving:

(a) Multiple transfers from one day to the next or outside of normal working hours, from one account to another, by direct telephone or electronic communication to the institution's computer system;

(b) Early repayments of loans or payments in excess of agreed instalments, or persons making sudden payments of problem loans, without any reasonable explanation for the origin of the money;

(c) Use of international monetary instruments that are out of proportion to the client's economic activity.

Article 14. — Institutions are also required to pay special attention to client operations that have markedly unusual characteristics, such as:

1. Loans backed by certificates of deposit and other investment securities;

2. When clients make frequent visits to the safe deposit box area and subsequently make a cash deposit in the same branch of the bank in an amount just below the limit that would trigger the legal requirement for a transaction form to be completed;

3. Purchase of cashier's cheques, travellers' cheques or any type of special cheques, with large sums of money in cash or just under the amount that would trigger a reporting requirement, without apparent reason;

4. Establishment of trusts by individuals or legal persons containing substantial deposits of money in cash;

5. Accounts opened in the name of exchange houses that accept national and international transfers or structured deposits;

6. Maintaining accounts that show frequent deposits in automated teller machines (ATMs); and

7. Accounts into which monetary instruments marked with strange signs or symbols are deposited.

Article 15. — The conduct of clients is considered to be suspicious when they attempt to evade compliance with the requirements for information or registration, such as:

(a) Refusing to provide the information required for the appropriate form, once they have been told that the form has to be filled out; and

(b) Forcing or attempting to force an employee of the institution not to keep a record of a particular transaction.

Article 16. — Institutions shall examine transfers of funds with such characteristics as the following:

1. Deposits of funds in several accounts, usually in quantities under the reporting threshold, which are then consolidated into a main account and transferred outside the country;

2. When the institution is instructed to transfer funds abroad and then to expect the same amount transferred back from other sources;

3. Transfers of money to another country, without any change in the type of currency; and

4. Receipt of transfers and immediate purchase of monetary instruments to make payments to third parties.

Article 17. — As part of their "know your client" policy, institutions shall require clients to provide the information necessary to achieve these objectives. Such information shall be considered insufficient and suspicious when, for example, clients:

(a) Refuse to provide complete information about the purpose of the transaction, prior banking relationships, or the location or names of directors and representatives;

(b) Refuse to provide personal information when purchasing monetary instruments above the legal limit or whose amounts bear no relation to the economic activity of the client or user;

(c) Request to open an account without references, local address, identification or other appropriate documents, or refuse to provide any other information that the bank may require to open an account;

(d) Present suspicious or patently false identification documents;

(e) Have no record of employment or apparent source of income;

(f) Are reluctant to reveal details of their activities or to provide financial records of them;

(g) Present financial records that are markedly different from other transactions involving a similar activity; and

(h) Provide information that is false or inexact".

Subparagraph 2 (a):

• *Could El Salvador please outline how it has enforced the Framework Treaty on Democratic Security in Central America?*

Article 18 of the Treaty establishes cooperation in preventing and combating criminal activities having a regional or international impact, such as terrorism, sabotage and organized crime, and preventing within their territory all available means the planning, preparation and execution of such activities.

In addition, article 47 of the Treaty establishes that the Meeting of Presidents, the Council of Ministers of Foreign Affairs and the Security Commission of Central America are the bodies responsible for dealing with regional and international security matters; the Security Commission is subordinate to the other bodies mentioned.

The Security Commission is composed of the Vice-Ministers for Foreign Affairs and the vice-ministers or responsible officials in the areas of defence and public security of the Central American countries. It implements the decisions on security matters entrusted to it by the Meeting of Presidents or the Council of Ministers for Foreign Affairs and any decisions that it adopts itself, including in the following areas:

– Evaluating compliance with Central American agreements on security matters; strengthening the mechanisms for coordinating operations in the areas of defence, public security and humanitarian cooperation when faced with emergencies, threats and natural disasters; and monitoring compliance with the provisions of the Treaty and performing any other duties assigned to it therein.

The Commission organizes its work through subcommittees on security, defence and legal matters, and also receives support from the General Secretariat of the Central American Integration System.

In their declaration "Central America united against terrorism", the Central American Presidents entrusted the Security Commission with taking the necessary steps; accordingly, in October 2001, the Commission adopted the Central American

Plan for Comprehensive Cooperation to Prevent and Combat Terrorism and Related Activities.

The provisions of the treaty, which are implemented through the Security Commission and in the context of the regional plan against terrorism, are applied at the national level by the Ministry of the Interior, the Ministry of National Defence, the National Civil Police, the Directorate of Migration, the Directorate of Customs and other bodies involved in the national implementation measures because they deal with the subject of terrorism.

In that connection, and in accordance with the strategic actions of the regional plan against terrorism, El Salvador has implemented the Treaty through the following operational measures:

Strengthening of border, port and airport security

The "Falcon Task Force" provides security and protection at El Salvador International Airport through the Comalapa Group and at the port of Acajutla through the Acajutla Group.

(a) El Salvador International Airport

- The Comalapa Group, composed of units of the Salvadoran armed forces, establishes security in approach and loading zones, in the street along the perimeter and at inspection points, and carries out remote and close patrols.
- In coordination with the National Civil Police, it provides security, monitoring and inspection, in the ramp area and the Independent Port Commission station, monitors traffic and access to the security check area, monitors the main entrance, lobbies and vital equipment, and patrols the highway leading from the airport to San Salvador and vice versa.

(b) Port of Acajutla

- The Acajutla Group, composed of units of the Salvadoran armed forces, provides security on secondary approaches to the Port of Acajutla and carries out land, sea and wharf patrols.
- In coordination with the National Civil Police, it provides security, monitoring and inspections in the communications centre, the main approach, shops and sensitive areas.

Implementation of the "Guardians I" Plan ("One hundred per cent plan")

- Plans are being made for the development of joint operations to monitor illicit goods trafficking nationwide through joint public security commands at the departmental level.
- Monitoring is carried out at 31 land and sea "blind crossings".
- Security and monitoring of the vehicle assembly points located at the Santa Ana land customs office and the Port of Acajutla.

– Escorting goods transport vehicles in transit through the national territory.

Subparagraph 2 (b):

• *Does El Salvador have any arrangement for giving early warning to the countries other than those within Central America and the Caribbean?*

Currently, the only mechanism for giving early warning to countries other than those within Central America is the INTERPOL National Central Bureau.

Subparagraph 2 (c):

• *The report states that a draft special act for determining the status of refugees is currently before the Legislative Assembly. Does this draft also provide for denying safe haven to those who finance, plan, support or commit terrorist acts?*

"Terrorist acts" are not referred to explicitly as a ground for denying refugee status, but such acts are implicitly included in the reference to a "crime against peace ... or a crime against humanity". Moreover, these provisions are expressly modelled on the provisions of article 1 (F) of the 1951 Convention relating to the Status of Refugees.

Nevertheless, article 3 of the draft act entitled "Special Act for Determining the Status of Refugees" contains provisions for the denial of refugee status. The grounds for denial set forth in the draft are as follows:

(a) Committing a crime against peace, a war crime or a crime against humanity, as defined in the secondary legislation of El Salvador and in the international instruments drawn up to make provision in respect of such crimes;

(b) Committing a serious non-political crime outside the country of refuge prior to admission to that country as a refugee; and

(c) Being guilty of acts contrary to the purposes and principles of the United Nations.

• *Please indicate briefly the legislative measures in force for excluding or expelling terrorists.*

Salvadoran legislation contains no specific provision ordering the exclusion or expulsion of terrorists from the national territory, because terrorist acts are regarded as serious crimes and the legal system provides for these crimes to be punished either in national courts or in foreign courts, when extradition of the accused is granted.

As a party to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees, El Salvador applies, in the national context, the provision in article 32 of the Refugee Convention which refers to the "expulsion" of a refugee for reasons of national security or public order. This same provision is included in article 44 of the draft Special Act for Determining the Status of Refugees which is currently before the Legislative Assembly.

Subparagraph 2 (d):

- *Are there provisions in the Penal Code that criminalize the actions of those who plan, finance, facilitate or commit terrorist acts against other countries using the territory of El Salvador?*

Currently, there are no express provisions of this kind. We draw the Committee's attention again to the statement in this report under subparagraph 1 (b), concerning the technical study being carried out by GRICTE.

Subparagraph 2 (e):

- *Please elaborate on the study referred to in the report to amend the Penal Code in the area of international humanitarian law. Please describe the progress of these amendments.*

GRICTE also wishes to draw the Committee's attention to the fact that the study carried out by the Inter-agency Committee on International Humanitarian Law, initially mentioned in the report submitted by El Salvador in December 2001, covers only war crimes and crimes against humanity, not the specific subject of terrorism.

The Inter-agency Committee on International Humanitarian Law has prepared a draft amendment to title XIX of the Penal Code, entitled "Crimes against humanity". This proposal will be submitted shortly to the Legislative Assembly for its study and approval.

Subparagraph 3 (a), (b) and (c):

- *Please provide a list of any bilateral arrangements for the exchange of information and cooperation entered into by El Salvador with countries outside Central America.*

1. Cooperation Agreement between the Government of the Republic of El Salvador and the Government of the United States of America on access to and use of the facilities of El Salvador International Airport by the United States for the purpose of aerial monitoring of drug-related activity;

2. Agreement between the Republic of El Salvador and the Kingdom of Spain on cooperation in preventing the use and combating the illicit trafficking of narcotic drugs and psychotropic substances and in controlling chemical precursors and regulated substances;

3. Agreement between the Republic of El Salvador and the United Mexican States concerning cooperation in combating drug trafficking and drug dependency;

4. Convention on judicial assistance in criminal matters between the Kingdom of Spain and El Salvador;

5. Convention on judicial assistance in criminal matters between El Salvador and Peru;

6. Convention between the Government of the Argentine Republic and the Government of the Republic of El Salvador on preventing the illegal use and suppressing the illicit trafficking of narcotic drugs and psychotropic substances;

7. Convention between the Government of the Republic of El Salvador and the Government of the Eastern Republic of Uruguay on preventing the illegal use and suppressing the illicit trafficking of narcotic drugs and psychotropic substances and their basic chemical precursors and products;

8. Cooperation Treaty between the Government of the Republic of El Salvador and the Government of the United Mexican States on mutual judicial assistance in criminal matters;

9. In the framework of the Conference of American Armies, the armed forces of El Salvador will participate, from 23 to 27 June 2002, in the Twelfth Specialized Conference on Intelligence, to be held in Colombia; the main purpose of the conference is "Strengthening intelligence cooperation between American armies".

Subparagraph 3 (d):

- *Could El Salvador please describe how it intends to follow up its examination of the Convention for the Suppression of Terrorist Bombings and the Convention for the Suppression of the Financing of Terrorism?*

El Salvador is making every effort to complete the domestic procedures that will enable it to become a party to both conventions in the shortest possible time.

In the case of the International Convention for the Suppression of Terrorist Bombings, public opinion is in favour of El Salvador becoming a party to that convention; it is currently being submitted to the Legislative Assembly for ratification.

With regard to the International Convention for the Suppression of the Financing of Terrorism, given the consensus on the need to become a party to this convention, the relevant study has been completed; the declarations to be made by El Salvador regarding the convention are still pending. The domestic accession procedure will continue.

The Committee should be aware that the domestic procedure followed by El Salvador for ratifying or acceding to an international instrument (be it an agreement, treaty, accord, convention, memorandum of understanding, exchange of notes, amendment, protocol or addendum), is as follows:

- The Ministry of Foreign Affairs is responsible for arranging, negotiating, signing and renouncing international instruments, after hearing the views of the national institutions seized of the matter because of the subject dealt with and their competence.
- Once the relevant views have been obtained and the negotiating process has concluded, as the case may be, the international instrument is signed, or, where appropriate, the ratification procedure prescribed by national law is directly initiated. Where what is required is signature, the ratification procedure can begin once the instrument has been signed.
- The formal ratification process that allows international instruments to become the law of El Salvador begins when the Ministry of Foreign Affairs seeks the President's consent to initiate the law. If the President has signed the international instrument, consent is not sought.

– Once the Ministry of Foreign Affairs has received authorization to initiate the law, it draws up the executive agreement by which the international instrument is approved and submitted to the Legislative Assembly for ratification.

– Once the international instrument has been ratified, the Legislative Assembly sends it, together with the legislative decree containing ratification, to the Presidency for the approval and endorsement of the President and the Minister for Foreign Affairs, respectively. The international instrument, together with the aforesaid documents (executive agreement and legislative decree) is then transmitted to the *Official Gazette* for publication.

– If the international instrument so stipulates, the counterpart or the depositary is informed that the instrument has entered into force in respect of the Republic of El Salvador. Or, if the international instrument so provides, instructions are given to deposit the instrument of ratification or accession with the relevant organizations and international bodies.

• *Does El Salvador intend to ratify the International Convention on the Physical Protection of Nuclear Material?*

It is currently under consideration by the institutions called upon to give an opinion in the matter because of the subject dealt with and their competence.

Subparagraph 3 (e):

• *Please outline the measures which have been taken to implement the relevant international conventions and protocols relating to terrorism to which El Salvador is a party.*

GRICTE has taken into consideration the analysis of the implementation of the new international instruments relating to the fight against terrorism to which El Salvador is a party in order to identify the steps taken to comply with the international conventions and protocols in this area. The results of the analysis will be transmitted in due course.

Subparagraph 3 (g):

• *Have the crimes set forth in the relevant international conventions and protocols relating to terrorism been included as extraditable offences in the bilateral extradition treaties to which El Salvador is party?*

El Salvador has included and includes in the bilateral and multilateral extradition treaties that it has signed, and in those currently being negotiated, all of the crimes subject to extradition that are set forth in the international conventions and protocols relating to terrorism to which it is a party. These treaties are the law of El Salvador and, as such, must be complied with.

Paragraph 4:

• *Has El Salvador addressed any of the concerns expressed in paragraph 4 of the resolution?*

It should be noted that El Salvador has actively endeavoured to promote and support efforts and initiatives at the national, subregional, regional and international

levels to strengthen the fight against the serious threat to international security that terrorism represents.

In that connection, mention should be made of El Salvador's active participation in the implementation of the Framework Treaty on Democratic Security in Central America; the implementation of the bilateral and international treaties that help to combat this scourge; and its active and positive participation in regional and international forums for combating international terrorism, particularly those aimed at the adoption of new international instruments against terrorism.

Note should be taken of the establishment of GRICTE, which has played a leading role in national coordination of the fight against terrorism.

Other matters:

- *Could El Salvador please provide an organizational chart of its administrative machinery, such as police, immigration control, customs, taxation and financial supervision authorities, established to give practical effect to the laws, regulations and other documents that are seen as contributing to compliance with the resolution.*

With regard to the organizational chart requested in this paragraph, please find, enclosed herewith, a descriptive table of the main actions and tasks carried out by the member institutions of GRICTE, which are directly involved in the implementation of the laws, regulations and other documents which El Salvador has at its disposal in complying with the provisions of Security Council resolution 1373 (2001).

Institutional mechanisms for enforcement of the laws, regulations and other instruments that contribute to the implementation of resolution 1373 (2001)

Institution	*Operational unit*	*Activities*	*Applicable legislation*	*Liaisons*	*Observations*
Office of the Attorney-General of the Republic	Financial Investigation Unit (UIF)	Mission: to work towards the prevention, detection, punishment and eradication of the crime of money-laundering and its concealment, by ensuring the free circulation and movement of goods in the marketplace, thereby preventing the entry into the legal economy of goods derived from criminal activities. 1. Ensure that institutions subject to the Money Laundering Act and their oversight and supervisory bodies fulfil their obligations under the Act; 2. Recommend, where necessary, the design and modification of the forms used by institutions to monitor and report suspicious transactions and the transactions of their clients when the amounts involved exceed the limits set by the Act; 3. Issue instructions that help institutions to detect the conduct of users and clients who engage in	– United Nations Conventions (1961, 1971, Protocol of 1972, and 1988); – Central American Convention on the Prevention and Punishment of Money-Laundering Crimes and Crimes Linked to Illicit Drug Trafficking and Related Crimes; – Treaty on reciprocal legal assistance in criminal matters among the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama; – Penal Code; – Code of Criminal Procedure; – Drug-related Activities Act; – Money Laundering Act; – Guidelines for the implementation of the Money Laundering Act; – Guidelines for the prevention of money-	– National Civil Police; – National Registration Centre; – Central Reserve Bank; – Office of the Financial Superintendent; – Office of the Securities Superintendent; – Office of the Commercial Bonds Superintendent; – Ministry of Finance; – Banking Association of El Salvador; – Financial Intelligence Units of other countries; – Interpol; – Embassy of the United States of America, and others.	

Institution	Operational unit	Activities	Applicable legislation	Liaisons	Observations
		suspicious activities or transactions involving possible money-laundering; 4. Investigate complaints by any official of the Office of the Attorney-General, other officials or authorities and employees in general or authorities of the State, concerning activities related to money-laundering, and complaints by members of civil society; 5. To administer the special patrimony referred to in article 23 of the Money Laundering Act and to use it for the purpose established in the Act; 6. Collect from State agencies and institutions and, in particular, the Ministry of Finance, the Central Reserve Bank, the Register of Real Property and Mortgages, the Register of Trade and other public registers, and from public oversight and supervisory bodies all financial information from institutions and activities subject to the provisions of the Money Laundering Act that relate to	laundering in financial intermediation institutions; – Banking Act; – Non-banking Financial Intermediaries Act; – Exchange Houses Act; – Insurance Company Act and regulatory provisions; – Stock Exchange Act; – Commercial Code, and others.		

Institution	Operational unit	Activities	Applicable legislation	Liaisons	Observations
		commercial transactions which may be associated with money-laundering; 7. Establish, in accordance with article 13 of the Money Laundering Act, the content of the forms which institutions should carry to monitor transactions by their clients that exceed the amounts established for cash transactions and fail to fulfil the conditions set out in article 9 of the above-mentioned Act, and determine how the above-mentioned institutions should report such transactions to UIF, as they are required to do; 8. Establish channels for obtaining information from sources or persons in the society interested in providing information on the crime of money-laundering and other criminal activities; and 9. Such other provisions as may be set out in the Money Laundering Act.			

Institution	*Operational unit*	*Activities*	*Applicable legislation*	*Liaisons*	*Observations*
Office of the Attorney-General of the Republic	Unit for Crimes against Life and Physical Integrity	Direct the investigation and promote the institution of legal proceedings for crimes and wrongful acts involving the life or physical integrity of persons.	– International treaties and conventions on human rights and terrorism to which El Salvador is a party; – Penal Code; – Code of Criminal Procedure.	– National Civil Police; – Institute of Forensic Medicine; – Relief and Public Service Institutions; – Judicial organ; – Non-governmental organizations; – Ministry of Public Health and Social Welfare; – Municipalities; – Office of the Attorney-General of the Republic; – Division of Technical and Scientific Police; – Public and private entities.	
Armed Forces of El Salvador	Army, Air Force and Navy	1. Strengthening of security at borders, ports and airports, to which end various measures have been implemented, including those relating to: – External security; – Loading zones; – Perimeter streets; – Inspection points; – Extended and proximity patrols.	– Constitution of the Republic; – Organic Law of the Armed Forces; – Framework Treaty on Democratic Security in Central America.	With all relevant agencies.	Establishment of the "HALCON" task force, charged with the security and protection of the facilities of the El Salvador International Airport and the port of Acajutia since 23 September 2001.

Institution	Operational unit	Activities	Applicable legislation	Liaisons	Observations
		(a) In coordination with the National Civil Police, implement security, control and registration measures in the following areas: – Ramp area; – Autonomous Port Executive Committee (CEPA) parking area; – Traffic control; – Entry into the inspection room; – Main entrance; – Waiting rooms; – Vital equipment; – Patrols on the highway to San Salvador. (b) Security measures in the following areas: – Communications centre; – Main access; – Warehouses; – Sensitive points. 2. Joint operations for the control of illegal traffic are planned and implemented through Joint			

Institution	*Operational unit*	*Activities*	*Applicable legislation*	*Liaisons*	*Observations*
		Departmental Public Security Commands (CCSPD), mechanisms are in place to carry out inspections at 31 unauthorized (blind) land and maritime border crossings, security and control at two points with heavy vehicular traffic (overland customs checkpoint at Santa Ana and Puerto de Acajutia) and escort of vehicles transporting goods in transit through the national territory. 3. Provide security for important persons, and others.			
Office of the President of the Republic	Anti-Drug Commission of El Salvador	The Anti-Drug Commission of El Salvador, in its capacity as the lead agency for:[1] – Implementing and ensuring full compliance with the Constitution, treaties to which El Salvador is a party, laws, regulations and ordinances relating to drug supply and demand; – Elaborating and implementing a national anti-drug plan that provides for both control of the supply and reduction in demand;	*International*: – United Nations Conventions (1961, 1971, Protocol of 1972 and 1988); – Palermo Convention; – CICAD/OAS Anti-Drug Strategy in the Hemisphere; – Charter of the Permanent Central American Commission; – Central American Convention on the Prevention and	– ODCCP; – CICAD/OAS; – Ministry of Education (MINED); – Ministry of Public Health and Social Welfare (MSPAS); – Ministry of Foreign Affairs; – National Secretariat for the Family (SNF); – Salvadoran Institute for the Protection of Minors (ISPM);	Activities of COSA consist in coordinating all national efforts to reduce the demand and control the supply of drugs. Those directly responsible for ensuring compliance with the legal instruments are the institutions listed in the "Liaisons" column.

Institution	*Operational unit*	*Activities*	*Applicable legislation*	*Liaisons*	*Observations*
		– Planning, directing, coordinating and taking all types of administrative measures aimed at preventing and controlling the entry and distribution of illicit drugs in the country; – Preventing the cultivation, production, manufacture, trafficking and consumption of unauthorized substances; – Authorizing public awareness campaigns about the effects of drugs, using any means of social communication.	Punishment of Money-laundering Crimes Linked to Illicit Drug-Trafficking and Related Crimes; – Framework Treaty on Democratic Security in Central America; – Treaty on reciprocal legal assistance in criminal matters among the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. *National*: – Executive Decree No. 86 of 9 October 1995 (*Official Gazette* No. 193, vol. 329, of 18 October 1995); – Health Code; – Penal Code; – Code of Criminal Procedure; – Drug-Related Activities Act; – Money Laundering Act.	– PNC/DSJ; – Salvadoran Social Security Institute (ISSS); – National Emergency Committee (COEN); – Ministry of the Interior, Medical Preventive Unit; – Technical Anti-Doping Unit of the Office of the Deputy Minister of Transport; – PNC/DAN; – FGR/UIF/UANT; – CSSP; – Ministry of National Defence (MDN); – Ministry of Finance; – Autonomous Port Executive Committee (CEPA); – Supreme Court of Justice; – National Council of the Judiciary (CNJ). *NGOs*: – FUNDASALVA; – HOCRAD; – Olaf Palme;	

Institution	*Operational unit*	*Activities*	*Applicable legislation*	*Liaisons*	*Observations*
				– Hogar CREA; – Teen Challenge; – REMAR, among others. *Private entities*: – National Private Enterprise Association (ANEP); – Communications media; – Universities, etc.	

[1] Powers granted under Executive Decree No. 86 of 9 October 1995 (*Official Gazette* No. 193, vol. 329, of 18 October 1995).